

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ AUG 24 2005 ★

P.M. _____
TIME AM. _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MELVYN KAUFMAN,

Plaintiff,

-against-

AMENDED
JUDGMENT
04-CV- 3494 (DGT)

JUDITH S. KAYE, in her capacity
as Chief Justice of the Court of
Appeals of the State of New York
and A. GAIL PRUDENTI, in her
official capacity as Presiding Justice
of the Appellate Division of the
Supreme Court of the State of New York,
Appellate Division, Second Judicial
Department,

Defendants.
-----X

A Memorandum and Order of Honorable David G. Trager, United States District Judge, having been filed on August 11, 2005, granting in part defendants' motion to dismiss for lack of subject matter jurisdiction; denying defendants' motion to dismiss for lack of subject matter jurisdiction with respect to plaintiff's claim that the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department's assignment system violates due process over which the Court has jurisdiction and dismisses such claim on the merits; and dismissing plaintiff's complaint in its entirety; it is

JUDGMENT
04-CV- 3494 (DGT)

ORDERED and ADJUDGED that plaintiff take nothing of the defendants; that defendants' motion to dismiss is granted; and that plaintiff's complaint is dismissed in its entirety.

Dated: Brooklyn, New York
August 24, 2005

Robert C. Heinemann
Clerk of Court

By: S/TV
Terry Vaughn
Chief Deputy Clerk
for Operations